

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filing to)	DOCKET NO. 910987-TL
replace some of the blanket agency)	
letters used by entities acting on)	ORDER NO. 25428
behalf of customers and to delete)	
flexible pricing reference in the)	ISSUED: 12/2/91
General Subscriber Services tariff)	
by SOUTHERN BELL TELEPHONE AND TELE-)	
GRAPH COMPANY)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 SUSAN F. CLARK
 J. TERRY DEASON
 BETTY EASLEY
 MICHAEL MCK. WILSON

ORDER APPROVING TARIFF PROPOSAL

BY THE COMMISSION:

On August 12, 1991, Southern Bell Telephone and Telegraph Company (Southern Bell or the Company) filed a tariff proposal to add language to its tariffs to replace some of the existing types of blanket agency letters used by the Company for customer premises equipment (CPE) providers, enhanced service providers (ESPs), interexchange carriers (IXCs), and other parties acting on the behalf of customers in transactions with the Company.

Under current policy, Southern Bell requires a letter of agency when a third party represents a customer's business interests with the Company. Both individual and blanket types of agency letters are used. Blanket agency letters are used where the third party represents numerous customers requiring services from Southern Bell; thus, the blanket authority covers all customer transactions and eliminates the need for an individual letter signed by each customer. Third parties are frequently CPE providers, ESPs and IXCs that undertake transactions with the Company on behalf of their customers. The blanket letters include the terms, conditions, and liability of the respective parties.

The Company states that the tariff proposal is in recognition of customer requests to eliminate those letters which they consider a hinderance. Southern Bell also indicates that the increasing

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number of authorized agents makes it difficult to efficiently administer, store, and maintain blanket agency letters.

The proposed tariff revisions will eliminate the need for the agents to file a blanket agency letter before they can represent their customers in transactions with Southern Bell. The tariff language establishes the terms and conditions by which agents must abide, essentially becoming the authority that is currently communicated via the blanket agency letters. The revisions are to provide protection to the Company and to the third party customer, as well as to specify the obligations of the agents. Southern Bell believes the revisions will assist in reducing customer complaints.

The Company states that the tariff revision will eliminate the need for all of the blanket agency letters except for those situations involving changes in customers' interexchange carriers, or when the specific circumstances at issue warrant an individual letter of agency. The tariff emphasizes the elimination of blanket agency letters where vendors are acting on behalf of customers. The tariff does not change any existing requirements for individual agency letters.

Upon consideration, we find it appropriate to approve this tariff proposal, including the Company's request to remove the Flexible Pricing reference which appears in Section A2.8 of the General Subscriber Services Tariff. The Flexible Pricing concept allowed some flexibility in the pricing of nonrecurring charges as long as the approved minimum charge was exceeded. However, this offering was previously discontinued and this filing merely deletes reference to the pricing concept in the General Regulations section of the tariff.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Southern Bell Telephone and Telegraph Company's proposed tariff filing to replace some of its blanket agency letters and to delete the Flexible Pricing reference (T-91-382) filed August 12, 1991, is hereby approved effective November 6, 1991. It is further

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirement set forth below.

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By ORDER of the Florida Public Service Commission, this 2nd
day of DECEMBER, 1991.


STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 12/23/91

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In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.